

1
2
3
4
5
6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

8 * * *

9 KENNETH W. HATLEN,

Case No. 3:14-cv-00317-MMD-WGC

10 Plaintiff,

ORDER

11 v.

12 GREG COX, et al.,

13 Defendants.

14
15 The parties participated in a global settlement conference and reached a
16 settlement on May 6, 2015. (Dkt. no. 42.) On May 18, 2015, Plaintiff filed a motion to
17 stay settlement. (Dkt. no. 43.) The Settlement Judge, United States Magistrate Judge
18 Cooke, conducted a hearing on June 3, 2015. (Dkt. no. 52.) At the conclusion of the
19 hearing, Judge Cooke found that Plaintiff has agreed to the terms of the settlement.
20 (Dkt. no. 52.) Judge Cooke therefore denied Plaintiff's motion, along with other motions
21 that he subsequently filed, but permitted Plaintiff to file an objection to her order, if he
22 wished to do so, by June 22, 2015. (*Id.*) The next day, Defendants filed the previously
23 signed stipulation and order for dismissal, which this Court granted. (Dkt. nos. 51, 52.)
24 Since then, Plaintiff has filed numerous motions, including duplicative motions for
25 extension of time to file his objection. It is apparent from Plaintiff's filings that he wishes
26 to object to Judge Cooke's June 3, 2015, order, which she granted him leave to do.
27 The Court thus finds good cause to vacate its Order dismissing the case to give Plaintiff
28 the opportunity to be heard on his objection to Judge Cooke's June 3, 2015, Order. It is

1 therefore ordered that the Court's Order dismissing this case (dkt. no. 53) is vacated
2 pending the Court's determination of Plaintiff's objection.

3 Having vacated the Order dismissing this case, the only remaining issue for the
4 Court to resolve is Plaintiff's objection to Judge Cooke's June 3, 2015, order. To ensure
5 the orderly consideration of Plaintiff's objection, the Court directs that transcripts of the
6 May 6, 2015, settlement conference (dkt. no. 42) and the June 3, 2015, hearing (dkt. no.
7 52) be prepared for the Court and a copy be sent to Plaintiff on the same day. Plaintiff
8 shall have twenty (20) days from the filing of these transcripts to file his objection to
9 Judge Cooke's June 3, 2015, order. Defendants are given fourteen (14) days from
10 Plaintiff's filing of his objection to file their response. Plaintiff will then have ten (10) days
11 to file his reply. No extensions of time will be permitted absent extraordinary
12 circumstances. Because the Court's ruling renders as moot the following motions and
13 objections, these motions and objections are denied: dkt. nos. 57, 59, 60, 66, 67, 68,
14 69, 71.

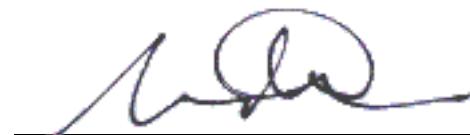
15 Plaintiff has also filed four emergency motions for injunction, although two of the
16 motions are duplicative. (Dkt. nos. 58, 61, 64, 65.) Plaintiff claims that Defendants have
17 been engaging in intimidating and threatening conduct (dkt. nos. 58, 65), assaulting him
18 physically and allowing inmates to assault him (dkt. nos. 61, 64), causing him to have to
19 file emergency grievances. The Court is concerned about any claim of intimidation to
20 interfere with a litigant's access to court. However, these allegations do not relate to the
21 claims asserted in this case. Moreover, Plaintiff understands that he must first exhaust
22 his administrative remedies in order to assert these claims. The Court has cautioned
23 Plaintiff many times of these requirements in case no. 3:12-cv-534-MMD-WGC. It is
24 therefore ordered that the following motions are denied: dkt. nos. 58, 61, 64, 65.

25 Plaintiff continues to burden the Court with duplicative, unnecessary filings. For
26 example, Plaintiff filed two sets of duplicative emergency motions for injunction. (Dkt.
27 nos. 58, 61, 64, 65.) Plaintiff filed three motions for extension of time to file his objection.
28 (Dkt. nos. 57, 59, 66.) This Court has warned Plaintiff numerous times in case no. 3:12-

1 cv-534-MMD-WGC that filing repeated motions requesting the same relief will not result
2 in a speedier decision on his initial motion. To the contrary, Plaintiff's flood of filings only
3 burdens the Court and consumes more of the Court's time to review Plaintiff's
4 duplicative filings. Plaintiff is admonished from filing any further motions or notices in
5 this case.

6 DATED THIS 20th day of July 2015.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE